

**ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE**

April 9, 2021

9:05 a.m.

MEMBERS PRESENT

Senator Roger Holland, Chair
Senator Gary Stevens, Vice Chair
Senator Shelley Hughes
Senator Peter Micciche
Senator Tom Begich

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Board of Regents

Scott Jepsen - Anchorage

- CONFIRMATION ADVANCED

SENATE BILL NO. 111

"An Act relating to the duties of the Department of Education and Early Development; relating to public schools; relating to early education programs; relating to funding for early education programs; relating to school age eligibility; relating to reports by the Department of Education and Early Development; relating to reports by school districts; relating to certification and competency of teachers; relating to assessing reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three; relating to textbooks and materials for reading intervention services; establishing a reading program in the Department of Education and Early Development; relating to school operating funds; relating to a virtual education consortium; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 111

SHORT TITLE: EARLY EDUCATION; READING INTERVENTION

SPONSOR(S): EDUCATION

03/24/21	(S)	READ THE FIRST TIME - REFERRALS
03/24/21	(S)	EDC, FIN
03/26/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/26/21	(S)	Heard & Held
03/26/21	(S)	MINUTE(EDC)
03/29/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/29/21	(S)	Heard & Held
03/29/21	(S)	MINUTE(EDC)
03/31/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/31/21	(S)	Heard & Held
03/31/21	(S)	MINUTE(EDC)
04/07/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/07/21	(S)	-- MEETING CANCELED --
04/09/21	(S)	EDC AT 9:00 AM BUTROVICH 205

WITNESS REGISTER

SCOTT JEPSEN, Appointee to the Board of Regents

Anchorage, Alaska

Testified as governor's appointee to the Board of Regents.

POSITION STATEMENT:

ED KING, Staff

Senator Roger Holland

Alaska State Legislature

POSITION STATEMENT: Reviewed requested changes for the committee substitute for SB 111.

ACTION NARRATIVE

9:05:44 AM

CHAIR ROGER HOLLAND called the Senate Education Standing Committee meeting to order at 9:05 a.m. Present at the call to order were Senators Begich, Stevens, and Chair Holland.

CONFIRMATION HEARING(S)

University of Alaska Board of Regents

9:06:22 AM

CHAIR HOLLAND announced the confirmation hearing for Scott Jepsen to the Board of Regents. He invited Mr. Jepsen to introduce himself to the committee.

9:06:40 AM

SCOTT JEPSEN, Appointee, University of Alaska Board of Regents, Anchorage, Alaska, said he has lived in Alaska for more than 30 years. His son attended the University of Alaska Fairbanks and received a petroleum engineering degree and is currently working in Anchorage. Mr. Jepsen worked for ARCO in Alaska and left to work elsewhere but knew he wanted to come back. In 1997, he came back to manage the Kuparuk development organization. After working on many projects in the oil industry, he retired in March and then applied for an open seat on the Board of Regents. In his time at ARCO and Conoco Phillips, he saw the University of Alaska graduates evolve to the point that they competed favorably with graduates from other universities. He had worked to support programs at the University of Alaska that Conoco hired for. It is hard to get qualified people to come to Alaska and stay for a while. However, Alaskans stay and like it here.

MR. JEPSEN said he wants to give Alaskans the opportunity to get a good education in their own state that will qualify them for Alaskan jobs. He has served on the University of Alaska Foundation. During his time as a board member, he saw where the university is strong and meeting the needs of state. The university has strong programs in teaching, accounting, nursing, logistics, engineering, Arctic research, indigenous studies, etc. Its drone research program is one of the best in the country. He wants to do all he can to help the university become stronger and stable and with a strategic vision for the future that recognizes the fiscal pressures on the state but also serves the needs of the state for higher education. His background will be useful in achieving this goal.

CHAIR HOLLAND said he appreciates his view from the private sector recruiting UA graduates. He thanked him for his comments about facing the reality of less state funding and his belief that he can lead the university through the next few years to minimize its dependence on state funds while providing higher education opportunities in critical areas.

9:12:33 AM

SENATOR STEVENS said Mr. Jepsen will be a great addition to the board with his experience with the foundation and his career. The university lost accreditation with the Anchorage teacher training program two or three years ago. The problem as Senator Stevens sees it is that no one knew it was going to happen. The university president said he was not aware that the university was in danger of losing its accreditation. That is an issue of

enormous importance to the Board of Regents. Senator Stevens asked for Mr. Jepsen's thoughts on that.

MR. JEPSEN responded that he was shocked and dismayed when he heard about that. Speaking from the outside, he doesn't want to be critical about any part of the university system because he doesn't know how it works, but this is something that needs to be managed and needs oversight. There was a breakdown. As a regent, he will want to make sure systems are in place to make sure there is an early warning system for any issues with accreditation. He can't figure out how the loss of accreditation happened and he was surprised that everyone was surprised that it happened.

SENATOR STEVENS commented that Mr. Jepsen will be joining fine group on the Board of Regents.

SENATOR BEGICH shared that he and Mr. Jepsen have had straightforward conversations in Mr. Jepsen's prior role and he has always appreciated his candor and his ability to tell it like it is and push back hard on comments and thoughts that Senator Begich had put forward. Senator Begich would hope that Mr. Jepsen would not hesitate to apply that same laser-like focus to the university because it needs it. He asked Mr. Jepsen what he thinks the state role is in supporting the university and asked him to expand on his vision of where he sees the university at the end of his term in seven years.

MR. JEPSEN asked if Senator Begich was referring to legislative support for the university system.

SENATOR BEGICH said that Mr. Jepsen has stressed that with his role at the foundation he tried to move the board to a sustained endowment. He has worked to reduce the dependency of the university on state funds. Senator Begich asked where is that going, what is his vision of the level of state support, and how that will be offset. Senator Begich is trying to get at what is his operational approach, his philosophy toward serving on the Board of Regents. Senator Begich thinks he will agree with Mr. Jepsen but would like Mr. Jepsen to articulate that.

9:16:26 AM

SENATOR HUGHES arrived.

MR. JEPSEN replied that the board knows there are fewer funds for all state functions. As part of that, the university must figure out what things the university is good at, what serves

the needs of the community. The university will have less money. The university will have to be shaped to deliver those products within those constraints. The board will have to look at costs, what things that do not have value that could be eliminated, and how to gain efficiency to deliver the end goal with the money available. He is not a regent now and does not have the inside knowledge that he will hopefully have in a couple of years, so he cannot exactly lay out the specific steps. As the board moves down that path, it will share that vision with the legislature, and it will have a unified perspective about what it wants the university to be and what it will take to support it. He wants to talk about that vision and what it will take to achieve it and hopefully have the support of the legislature, the governor, the university, and stakeholders in the university system.

CHAIR HOLLAND noted that testimony can be sent to sedc@akleg.gov.

SENATOR BEGICH said that he outlined the vision Senator Begich expected to hear and he likes that. It is not just what the state level of support is, but he commends Mr. Jepsen's efforts toward moving to a stronger endowment with more private capital coming to the university. One of Senator Begich's concerns, which has come up in the committee, is the loss of civics education, the loss of an understanding of the roles of citizens. Part of that is a well-rounded experience that comes out of a university education with arts and humanities, which have suffered. As Senator Begich heard Mr. Jepsen talking, Senator Begich just had a cautionary note that it is difficult to point to the arts and humanities as a place that any university is strong in, but they are a core component of a well-rounded university education. They make people better engineers, scientists, and mathematicians. He asked for his thoughts on the arts and humanities programs. They are often seen as the stepchildren of the university system, but Senator Begich sees them as a core component.

[9:20:31 AM](#)

SENATOR MICCICHE arrived.

MR. JEPSON said he fully support the arts and humanities. It is absolutely critical for an engineer to able to speak, write, and think well and have good logic. Kids should be prepared for other things than STEM (science, technology, engineering, mathematics). They should be prepared to be lawyers, social workers, etc. Arts and humanities are key components of the

university system, and they will be part of the equation when looking at the programs that need to be strong.

SENATOR MICCICHE observed that funding issues that have hit the university in the last several years. He has worked with Mr. Jepsen a lot in the past and likes his private sector experience. In the private sector, Mr. Jepsen has been involved in having to reduce costs and find efficiencies. He asked if that will be a focus of Mr. Jepsen's. Funding has been dramatically reduced yet the state wants a high-quality product for young people to be prepared. He asked if Mr. Jepsen sees some opportunities for improving the outcome yet making the system more efficient than it has been in the past.

MR. JEPSEN replied that he does not believe that reduced funding equates to a lower-quality education or university. The university is not private enterprise. It is more complicated than that and has more stakeholders, but over the years he has seen that business can become more efficient and successful. That is the philosophy he will bring to this position.

[9:24:10 AM](#)

CHAIR HOLLAND opened public testimony and after ascertaining there was none, closed public testimony. He solicited a motion.

[9:24:43 AM](#)

SENATOR STEVENS stated that in accordance with AS 39.05.080, the Senate Education Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

University of Alaska Board of Regents

Scott Jepsen - Anchorage

CHAIR HOLLAND reminded members that signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

[9:25:08 AM](#)

At ease

SB 111-EARLY EDUCATION; READING INTERVENTION

[9:26:33 AM](#)

CHAIR HOLLAND announced the consideration of SENATE BILL NO. 111 "An Act relating to the duties of the Department of Education and Early Development; relating to public schools; relating to early education programs; relating to funding for early education programs; relating to school age eligibility; relating to reports by the Department of Education and Early Development; relating to reports by school districts; relating to certification and competency of teachers; relating to assessing reading deficiencies and providing reading intervention services to public school students enrolled in grades kindergarten through three; relating to textbooks and materials for reading intervention services; establishing a reading program in the Department of Education and Early Development; relating to school operating funds; relating to a virtual education consortium; and providing for an effective date."

CHAIR HOLLAND said that a request for changes for a committee substitute has been submitted. The committee will review the requested changes before tomorrow's meeting for public testimony. The committee substitute will be posted to the Senate Education Committee website once it is available. He invited Ed King to the table to explain the changes.

[9:27:29 AM](#)

ED KING, Staff, Senator Roger Holland, Alaska State Legislature, said this would be a high-level discussion of the expected changes:

Change #1: Insert "culturally responsive" language into four additional places and defines the term

Change #2: Add an annual report for the Parents-as-Teachers program.

Change #3: Remove any confusion in the carry-forward provisions by:

- Deleting section 23 from version W
- Increasing carryover limit from 10% to 25% immediately
- Allowing for additional carryover (greater than 25%) with departmental approval

CHAIR HOLLAND clarified that it goes from 10 percent to 25 percent and department approval is needed for an amount above 25 percent.

MR. KING replied that is correct. In the current situation, when excess funding exists, the department would be able to approve

the use of those funds, those federal dollars. In the future, if a situation like that were to develop again, this would give latitude to Department of Education and Early Development (DEED) to deal with that issue.

CHAIR HOLLAND clarified, and Mr. King affirmed, that the excess funds are CARES (Coronavirus Aid, Relief, and Economic Security Act) dollars.

SENATOR BEGICH said that the prior version referred to the National Assessment of Educational Progress (NAEP) scores. Chair Holland had said that would be changed because those scores did not apply to all districts.

MR. KING said that is correct. The discretion is with the department.

9:29:27 AM

SENATOR HUGHES clarified that the prior version required that the additional funding be used for academic instruction as opposed to administration. She asked if any of that is left in or is it up to the department.

MR. KING said it is departmental discretion.

SENATOR MICCICHE said that Mr. King had referred to the ability to spend, but this is about the ability to carry forward. It doesn't require a spending plan. It allows districts to carry above 25 percent with department approval. He asked Mr. King to clarify that.

MR. KING responded that currently if districts have a balance in excess of 10 percent of their operating expenses, that results in a reduction in state aid the following year, so there is an incentive to spend that money. This provision allows districts to save that money for a specific purpose.

MR. KING continued reviewing the changes. He noted change #4 is a technical change to align definitions.

Change #4: Create consistency in teacher certificate requirements by inserting language from section 32 into section 30.

Change #5: Clarifies the early education regulations to be written by the state board of education by:

- Defining the "federal standards" added in AS 14.07.165(a)(5)(A)
- Shifting the day-in-session requirements from AS 14.03.040 to the board's discretion

MR. KING said that current day-in-session requirements do not address early elementary programs. The Board of Education will determine the correct requirements.

9:31:43 AM

SENATOR HUGHES said that schools this past year did creative things like four-day weeks. She asked if this change would allow school districts to do that or should the day-in-session be changed to the number of hours to give them flexibility.

MR. KING replied that the bill does not change any of the existing language that gives the commissioner the authority to reduce or change hours with all of the other grades. This says that for an early education program that doesn't currently exist the Board of Education will determine what the hours per day or per year will be. There is no change to the existing law. It is a wide discretion for the Board to determine the day-in-session requirement for early education.

MR. KING presented change #6 and said these are somewhat technical changes. Because there is a funding limit of \$3 million, there was a potential for larger districts to have a program that would require more than \$3 million to be excluded. This allows for partial approvals, so that those districts would not be excluded. The current version W references a ranking list when there is a funding limit but doesn't clarify whether to work from the bottom or the top of the list, so that is clarified.

Change #6: Adjust the language regarding ADM inclusion for early education students and funding to allow the department to make partial program approvals and clarify approval should work from the bottom of the ranking list toward the top

MR. KING said that change #7 is an attempt to clarify and streamline the language that was in the original bill. There was a recognition that 26 districts already have some form of early education programs. The bill was trying to target about 20 or so districts expected to participate. Chair Holland's office requested the removal of all that language and simply said there is \$3 million available and districts are able to apply.

However, the department must prioritize districts that are lower on the list.

Change #7: Adjust the language regarding early education grant programs by:

- Replacing the limit on the number of districts with a \$3M annual funding limit
- Requiring coordination with Head Start programs before starting a new program

SENATOR BEGICH said that SB 111 had limited the grants program to 20 school districts. If one of those 20 districts at the lower end has an approved program, he asked if that would reduce the number to 19 or would it include the 21st lowest-performing district. He has an issue with the middle group not having access to the grants program, which may be the same group that doesn't have pre-K programs. He is suggesting that some of the districts lower down in the rankings may have developed strong pre-K programs in recent years that will allow those to go into the ADM (Average Daily Membership). He doesn't know that but they may. He does not want to reduce the number eligible for grants, so would the 21st, 22nd, or 23rd from the bottom be eligible for grants. He does not think it is possible with the way it is worded. He asked if the chair would consider that. If so, Senator Begich will propose an amendment and not change the committee substitute.

MR. KING replied that he thinks what Senator Begich is describing will be in the committee substitute. There was an implicit assumption that the 20 districts that would be eligible for the grants would be at the bottom of the list and as Senator Begich said, that might not be the case. The chair's office removed the 20-participant limit. It is just a \$3 million grant fund similar to the current pre-K grant funding where the department can decide how to deploy those funds, but it should work from the bottom of the rankings. Every district will be eligible for a grant should districts apply prior to ADM inclusion if money is available.

SENATOR BEGICH said that as originally designed, the grants program would have eventually reached all school districts. Mr. King is describing a much more limited grants program. There would be \$3 million available in the grants program with the capacity for another \$3 million available or open for those who might already have a preexisting and approved early education program.

MR. KING responded that for clarification, the request for the committee substitute is for a \$3 million per year grant program and a \$3 million per year ADM-inclusion program. The high-quality programs can be included in the ADM immediately. For those that go through the grant process, once they complete that they can go into the ADM. There are two programs. The grants program still exists and is universally available.

CHAIR HOLLAND added that for simplicity, his office removed the three tiers. It is just a ranking system and the funds will be allocated until they are used up every year.

SENATOR BEGICH said he understands what the chair is doing.

MR. KING said that the second part of change #7 was a recommendation from a testifier to have more coordination with Head Start. When a district that does not have a locally-supported or state-supported early education program wants to initiate a program, the change will require the district to coordinate with the local Head Start program.

9:38:16 AM

CHAIR HOLLAND said that is to protect federal funds that may already be allocated to a community.

SENATOR BEGICH said that is consistent with the intent in the other two bills. It sounds like it will be a stronger coordination component in the committee substitute and no one will oppose that.

MR. KING said that change #8 is difficult to explain and might be easier when the language is in front of the committee. Because four- and five-year-olds are both under school age, there was some confusion on whether or how they enter early education vs. their eligibility for kindergarten. The attempt was to clean up the language and make it clear that four- and five-year-olds should be in early education programs unless they are mature enough to enter a kindergarten program.

Change #8: Clarifying that it is up to the parents and districts to decide the proper placement of four- and five-year-old students participating in early education or kindergarten programs

CHAIR HOLLAND said his office has requested changes from Legislative Legal and does not know what the final language will look like in the committee substitute. The committee will spend

a few meetings going into detail on some of these finer points once it has the committee substitute.

MR. KING said that change #9 is just a consistency issue.

Change #9: Create consistency in the use of the phrase "evidence-based reading instruction"

SENATOR HUGHES said to go back to Head Start, the committee has talked a lot about equity and opportunity. Head Start is a federal program with lots of wonderful people with a lot of families benefitting, but if a community can only support one pre-K program and Head Start is doing that, she would hope that Head Start would have as high a quality as outlined in this bill. Otherwise, those families are not getting the full benefit and those children will enter kindergarten not as equipped as the children in another community in a program that is meeting the standards. She does not know if there is any way to address that. The state cannot tell a federal program how it should be run, but as parent she would want her child to be in the best preschool program possible. Perhaps they could have a conversation with Head Start. The committee learned that local boards choose how to run their programs. She would hope that some would choose to follow the high standards in this bill so that those kids are not shortchanged.

SENATOR BEGICH said that he concurs with Senator Hughes. It is likely that the quality of all programs will go up because of the competition from parents or grandparents who will insist that programs have the highest quality. If the bill passes, he expects that Head Start would up its game. This will be the tide that rises all boats.

CHAIR HOLLAND noted that Head Start has a broader age range that it works with and perhaps communities can support both programs. It will be a negotiation that will involve the department.

MR. KING said that change #10 is about consistency and also a more substantive change. The bill refers to retention and promotion and the chair's office asked for consistent use of the word "promotion." The change for AS 14.30.765(d) and (f) is an attempt to make it clear what the parent's role in progression would be. Subsection (d) is specific to students in grades K-2 and requires a conference between the teachers and parents if a reading deficiency is identified. It is up to the parent to decide whether a child should progress. It is more restrictive in third grade and requires that if a parent wants a child to

progress, parents must sign a waiver and additional intensive services are included in children's reading plans. With subsection (e), the current language is that the assessment be the litmus test for deficiency. The requested change for (e) is to provide more flexibility to districts to determine what the retention policy should be. Sections 34 and 35 of version W seem to be creating confusing and will be eliminated.

Change #10: Use consistent language regarding progress-based promotion to the next grade level and clarifying the promotion process and policies by:

- Replacing the words "retained" and "retention" throughout the bill
- Adjusting AS 14.30.765(d) and (f) to be clearer about parental promotion rights
- Changing (e) to provide more flexibility to districts in developing a fourth-grade promotion policy
- Deleting sections 34 and 35 from version W

9:45:08 AM

SENATOR MICCICHE said there is a substantial amount of policy in Sections 34 and 35. He asked if some of that has been brought into other sections. It is the process of promotion.

CHAIR HOLLAND explained that Sections 34 and 35 were only in there because two words were changed. All of the verbiage exists in legislation and is still in effect but does not have to be in the bill because the words are not changed.

SENATOR BEGICH said that to address Senator Micciche's concern, those sections in total, with the exception of the [two words], are incorporated in the bill in earlier sections. None of that policy lost. That is the crux of the reading policy and gets to the idea of what triggers the reading plan. All of that will be contained in the bill. That is the confusion that Mr. King described. It created confusion because it appeared to create a second component. This allows the earlier sections to stay in law and doesn't change a word in them.

SENATOR HUGHES explained that the two sections had the words "should" and "must." Because of the parental waiver with the added intervention, "must" was not accurate. The idea is still that districts would have to inform parents that the child is not ready and parents must decide about promotion with an agreement that the child have additional intervention services prior to the next school year.

SENATOR MICCICHE said he is fine with that.

MR. KING said that change #11 was a recommendation from Senator Begich to account for the fact that parents may not be capable of reading written notification, so a more expansive definition of notification was used.

Change #11: Account for the potential illiteracy of parents or guardians when requiring notification to parents

9:48:03 AM

SENATOR MICCICHE suggested that, without adding to the fiscal note but with never giving up on folks, adding a section to direct parents with literacy issues to existing resources. It is difficult to help a child when parents are having difficulties reading. He asked if the committee has thought about making the bill more comprehensive in directing parents to literacy assistance that might help the entire family.

SENATOR BEGICH said that is a fabulous idea. He would be happy to work on legislation about adult illiteracy. That could be a stand-alone bill, but it is a very good point.

SENATOR HUGHES said that she had the very same thought about how to help the parents. It could be simple for now without adding to the fiscal note. If districts are aware of it, they could provide resources to direct parents to where they could get help. This would not add to the fiscal note. She is not sure what the resources are, but the committee should find out.

CHAIR HOLLAND shared that he thinks it is a great idea. He has known people involved with adult illiteracy. There are programs out there. It can be a long process to teach an adult to read.

MR. KING said that change #12 adds additional language at the request of Senator Micciche to ensure parents are more actively involved in their children's reading improvement plans. Page 29 of Section 33 (k) talks about a third grader who did not progress to fourth grade or who did progress to fourth grade. There is a call for additional services. Paragraph 4 is about a plan for reading at home in the agreement with parents or guardians. It was already pulling parents into that conversation and progression plan if a child with a reading deficiency is retained or progressed. The idea is that similar language would be included about all identified reading deficiencies issues, not only about whether a child is retained or promoted with the deficiency. This points parents to resources and allows them to

have coaching opportunities with the district. In final form, it will be up to districts to decide what that looks like, but the bill is calling for more participation.

Change #12: Add language that encourages parents to be more actively involved in their child's reading improvement plan

SENATOR BEGICH said this is where a phrase about guiding parents to resources could be included. It would simply direct the school districts, if they identify a parent with a reading deficiency, to guide the parent to resources.

SENATOR MICCICHE said that page 33 is an additional area about creating partnerships and there are other locations in the bill like that. He recounted a story of helping an employee in his 50s with literacy problems. People worked collectively to improve his literacy and set his world on fire with his kids and grandkids.

MR. KING said that throughout the bill, there are opportunities for members of educational team to make decisions when parents do not participate in the process. Based on the recommendation made in testimony, the responsibility about promotion has been shifted to the superintendent or designee of the superintendent.

Change #13: When a parent does not participate, shift responsibility for promotion decisions to the superintendent or designee

SENATOR BEGICH asked if the bill is still sticking with the wider definition of parent, so it could include stepparent or extended family who may be responsible for the child.

MR. KING said there was no change to the definition of parent or guardian. Also, in the situation where a parent simply misses a meeting, there is language that allows the meeting to be rescheduled. If the decision for retention was made without the parent's involvement and the parent does want that child to be promoted, there is an ability for an appeal and reinstitution of that process.

MR. KING said that change #14 was a request from Senator Hughes to make it more explicit that the school districts should try to catch students up to their peer group, but only if that is requested. There could be situations where parents might be comfortable with the lack of promotion.

Change #14: Establish a roadmap for mid-year promotion, if requested

9:57:00 AM

SENATOR HUGHES asked if the bill addresses students who may be doing well in math staying with their cohort or will that be a district decision.

MR. KING replied that is not explicitly addressed in the bill, so it will be a district decision about how to handle delayed promotion.

SENATOR BEGICH said that a number of districts do have bifurcated processes or policies. Those policies are deferential to the students' ability to achieve in whatever class, so that does exist in a number of districts now.

MR. KING said the last change is a simplification throughout the bill to make sure all the new programs being implemented by the bill are being treated equally in terms of the efficacy test that is made in year 2031, prior to the sunset in 2032. The idea is that for all of the changes that cost money or put a burden on school districts, if they are not working, there is an automatic offramp the legislature can take without taking any other action, but the bill requires the department to bring something to the legislature. His impression is that a bill introduced by the governor would accompany that report that suggests what those changes would be.

Change #15: Align the sunset dates, incorporate all the bill's changes in the sunset, and establish a required report to the legislature prior to sunset date.

SENATOR MICCICHE said he requested an updated chart on the effective date matrix. He encourages the committee to consider only sunseting the funding and not the policy. He hopes to not see a sunset. He hopes the bill is remarkably effective. The committee put in an enormous amount of work--Senator Begich, Senator Hughes, DEED, the governor's office, Senator Holland, the folks on the committee. This is good policy. He would hope they consider sunseting the funding but not the policy. Even if this sunsets someday, there are districts that will use the standards to improve what they deliver going forward, even if the funding sunsets.

SENATOR BEGICH said he commends the chair for addressing an issue he brought up over and over during the prior sectional

analysis, which is consistency. He hasn't seen the language of the committee substitute yet, but throughout the description of the changes he sees an effort to make it a consistent bill, which strengthens it. Throughout the process, the chair has identified weaknesses in language from prior bills, whether SB 8 or SB 42 or SB 111. In general, Senator Begich feels confident about the direction of the bill, although he will be in opposition to the sunset dates. He and Senator Hughes have asked for robust reporting, not simple reporting, so they know what is working and how it is working. He is not sure that is incorporated in the committee substitute. If it is not, maybe there is a way to look at that. He would like to have language from the department that would describe what robust review would include. One of the earlier versions of the bill talked about paying for an evaluation on a regular basis, not just the last year before the sunset. That robust accountability ensures resources are being invested in an appropriate and proper manner. With robust language, that reporting might satisfy the sunset date issue. With robust, consequential evaluation, the sunset would not be needed. He will not oppose this bill just because it has sunset dates given that they appear to be consistently applied. A robust accountability process that perhaps the commissioner could suggest could meet the legislators' responsibility to ensure accountability with the people's dollar and at the same time doing what they can to improve the legacy of education in the state.

10:03:02 AM

SENATOR MICCICHE said he didn't hear any comment about his suggestion that the policy survive. He asked if anyone has any comments on that. He would hate to see the entire effort go away.

SENATOR BEGICH said that Senator Micciche has the right approach if there is going to be a sunset clause. Sunset the funds, not the policy. If the funding sunsets but the policy stays in place, legislators will hear that it becomes an unfunded mandate of sorts, but none of these policies are so prescriptive.

SENATOR MICCICHE said that the performance of the Kenai Peninsula School District because of its reading intervention program is well above every other larger community and only topped by Galena and Southeast communities. The standards for those programs are important. If something does go wrong and the funding does sunset, it may help drag others into voluntary reading intervention programs and perhaps early education as well. It is working in his district. He was surprised himself

when he saw the numbers on the PEAKS test and saw that Kenai was that high in comparison to other large municipalities.

MR. KING said there are annual reporting requirements for all components in the bill. The idea is that they would roll up into a final report to the legislature on how the program should progress. The sunseting of the policy is to make that the default rather than try to create policy that takes away a program once it is created, which is always challenging. The default is that the program goes away unless it is continued. The attorney he spoke to said the repeal of the sunsets if the programs are working is a straightforward process. Through uncodified law, those sections are removed before they take effect.

SENATOR BEGICH said they all get an annual report from the department. He is talking about a more robust evaluation component that makes recommendations annually or biennially to the education committees of the legislature. With Dr. Burk, he was impressed with the relatively consistent review of what Mississippi is doing and Mississippi is constantly retooling and improving. That struck him as something worth considering. He would defer to the department to see if that is feasible. His idea is not a simply annual report but the robust discussion from a group like Northwest Lab of "are we really making a difference here" and "are we turning the curve." Those are the things that the committee is fighting for. There is potentially a way to do that simply with language incorporated in the bill. It could add a couple hundred thousand to the fiscal note, but that would be well-invested money to tell the legislators if they are doing the right thing.

SENATOR MICCICHE shared that he has been talking about this bill with many educators around the state. Legislators assume that educators expect them to send the money but perhaps stay out of expecting better outcomes. The message he is getting that educators like expectations that might help them with the product. He was surprised to hear that, but this bill helps with that. This is sort of a blueprint for some things they can do as an education committee for further expectations that might actually help local districts deliver better outcomes for kids. He was surprised to hear that from educators. He always thought they wanted the legislature to send the check and keep its hands off of what educators do, but that is not the message he is getting.

CHAIR HOLLAND said he agrees with that. The committee cannot fix education. It must be fixed in districts and schools with parents, teachers, and students involved. He does believe this bill will provide the tools that can make some progress.

SENATOR STEVENS said this is a complex but important subject. He appreciates the effort of so many people. They have gone through several years of trying to figure this out. There was a large taskforce established a couple of years ago. This is exactly the way good legislation is written. He thanked the chair for taking charge of this and seeing it through to this point.

[10:10:38 AM](#)

CHAIR HOLLAND said his office will disseminate the committee substitute as soon as it is available. He held SB 111 in committee.

[10:11:17 AM](#)

There being no further business to come before the committee, Chair Holland adjourned the Senate Education Standing Committee at 10:11 a.m.